

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

LIVIA M. SCOTTO, )  
vs. Plaintiff, )  
                        )      No. 3:18-CV-2332-B-BH  
                        )  
UNITED CONTIENTAL AIRLINES et al., )  
Defendants              )      Referred to U.S. Magistrate Judge

**RECOMMENDATION REGARDING REQUEST TO PROCEED  
IN FORMA PAUPERIS ON APPEAL**

Pursuant to *Amended Miscellaneous Order No. 6* (adopted by *Special Order No. 2-59* on May 5, 2005), requests to proceed *in forma pauperis* are automatically referred.

Before the Court is Plaintiffs' *Affidavit Accompanying Motion for Permission to Appeal In Forma Pauperis*, construed as a motion to proceed *in forma pauperis* on appeal, received November 29, 2018 (doc. 14).

- (X) The request for leave to proceed *in forma pauperis* on appeal should be DENIED because the Court should certify pursuant to Fed. R. App. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith for the reasons that this action was dismissed as duplicative. (*See* docs. 6, 7, 8.)

If the Court denies the request to proceed *in forma pauperis* on appeal, Plaintiff may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order.

SIGNED this 4th day of December, 2018.

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE